


GP 26442 #2
J.D.
3-18-02

Washington, D.C. 20231, on 12



Sue Bromaghin

Sue Bromaghin

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OIPM
FEB 14 2002
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**For: Adaptation of Audio Data Files
Based on Personal Hearing Profiles**

))))))))))

Examiner: *Unknown*

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Commissioner of Patents
Washington, D.C. 20231

The undersigned ASSIGNEE of the entire interest in the above-identified application for letters patent hereby appoints:

to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

X the Assignment recorded on 09 April 2001 at reel 011690, frames 0108-0112; and.

X a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or

___ the Assignment recorded on _____ at reel _____, frames _____.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all telephone calls to Mark A. Haynes, Esq., at (650) 712-0340.

Address all correspondence to:

Customer Number 22470

Mark A. Haynes, Esq.
HAYNES BEFFEL & WOLFELD LLP
P.O. Box 366
Half Moon Bay, CA 94019
(650) 712-0340 (phone)
(650) 712-0263 (fax)



22470

PATENT TRADEMARK OFFICE

ASSIGNEE: SOUND ID, INC.

Signature: CL Pol

Name: Chas Pavlovic, Ph.D.

Title: Executive Vice President, Research & Development

Date: Nov-1, 2001

COPY



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JUNE 26, 2001

PTAS

CARR & FERRELL, LLP
JOHN D. HENKHAUS
2225 EAST BAYSHORE ROAD, SUITE 200
PALO ALTO, CALIFORNIA 94303



101684010A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/09/2001

REEL/FRAME: 011690/0108
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MOULINE, ALI

DOC DATE: 03/29/2001

ASSIGNEE:

CANDO, INC.
479 EAST EVELYN AVENUE
SUNNYVALE, CALIFORNIA 94086

SERIAL NUMBER: 09728623
PATENT NUMBER:

FILING DATE: 12/01/2000
ISSUE DATE:

JEEVON JONES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

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FORM PTO-1619A
Expires 06/30/99
OMB 0651-0027

04-23-2001

U.S. Department of Commerce
Patent and Trademark Office
PATENT

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Submission Type

☒ New

☐ Resubmission (Non-Recordation)
Document ID#

☐ Correction of PTO Error
Reel # Frame #

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Reel # Frame #

Conveyance Type

☒ Assignment ☐ Security Agreement

☐ License ☐ Change of Name

☐ Merger ☐ Other

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☐ Departmental File ☐ Secret File

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Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Name (line 1) Mouline, Ali

Execution Date
Month Day Year
 03292001

Name (line 2)

Second Party

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) CanDo, Inc.

Name (line 2)

Address (line 1) 479 East Evelyn Avenue

Address (line 2)

Address (line 3) Sunnyvale CA 94086
City State/Country Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Domestic Representative Name and Address

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Name

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0/2001 GTON11 00000141 09728623

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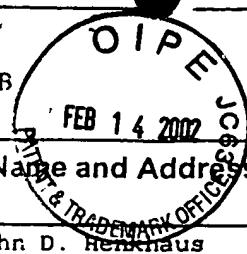
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Page 2

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Patent and Trademark Office
PATENT



Correspondent Name and Address

Area Code and Telephone Number (650) 812 - 3400

Name John D. Henkhaus

Address (line 1) Carr & Ferrell, LLP

Address (line 2) 2225 East Bayshore Road, Suite 200

Address (line 3) Palo Alto, California 94303

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

3

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

09728623

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number
only if a U.S. Application Number
has not been assigned.

PCT PCT PCT
PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

Method of Payment:
Deposit Account

Enclosed ☒ Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

06-0600

Authorization to charge additional fees:

Yes ☒ No ☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

John D. Henkhaus, Reg. No. 42,656

Name of Person Signing

Signature

Date

John D. Henkhaus

4/4/01

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PA1525US

PATENT



For: ☒ U.S. and/or ☒ Foreign Rights
For: ☒ U.S. Application or
 ☐ U.S. Provisional Application
For: ☐ U.S. Patent
For: ☐ PCT Application
By: ☒ Inventor(s) or ☐ Present Owner

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS:

Ali Mouline

FIRST NAMED INVENTOR

804 E. Dana St.

Address

Mountain View, CA 94041

hereby sell, assign and transfer to

ASSIGNEE:

CanDo, Inc.

ASSIGNEE

479 East Evelyn Avenue

Address

Sunnyvale, CA 94086

U.S.A.

and the successors, assigns and legal representatives of the ASSIGNEE

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(complete one of the following)

☒ the entire right, title and interest
☐ an undivided _____ percent (_____ %) interest
for the United States and its territorial possessions

☒ and in all foreign countries, including all rights to claim priority,
in and to any and all improvements which are disclosed in the invention entitled:
Adaptation of Audio Data Files Based on Personal Hearing Profiles

Name of inventor(s) Ali Mouline

and which is found in (37 C.F.R. § 3.21)

- (a) ☐ U.S. patent application executed on even date herewith
(b) ☐ U.S. patent application executed on _____
(c) ☐ U.S. provisional application naming the above inventor(s) for the above-entitled invention.

☐ Serial no.: _____
Mailed: _____

(d) ☒ U.S. application no. 09 / 728,623
filed on December 1, 2000

(e) ☐ International application no. PCT/ _____ / _____

(f) ☐ U.S. patent no. _____ issued _____

☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(g) ☐ and any legal equivalent thereof in a foreign country, including the right to claim priority


and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

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ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

Date: 3/29/2001



Signature of Ali Mouline

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Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/728,623
Filing Date	December 1, 2000
First Named Inventor	Ali Mouline
Group Art Unit	2644
Examiner Name	unknown
Attorney Docket Number	PA1525US

Total Number of Pages in This Submission 8

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ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☒ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
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- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
Postcard

Remarks

Total page number does not include postcard and check(s), if applicable.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Carr & Ferrell, LLP Cust. No. 22830

Signature

John Henkhaus

Date

4/4/01

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 4, 2001

Typed or printed name

John D. Henkhaus, Reg. No. 42,656

Signature

John D. Henkhaus

Date

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**40.00**

Complete If Known

Application Number	09/728,623
Filing Date	December 1, 2000
First Named Inventor	Ali Mouline
Examiner Name	unknown
Group Art Unit	2644
Attorney Docket No.	PA1525US

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METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: **06-0600**
Deposit Account Name: **Carr & Ferrell, LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:
☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)**0**

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20	=	0	0
3	=	0	0
Multiple Dependent	=	0	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 80	202 40	Independent claims in excess of 3	
104 270	204 135	Multiple dependent claim, if not paid	
109 80	209 40	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)**0**

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
128 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**40**

SUBMITTED BY

Name (Print/Type)	John D. Henkhaus	Registration No. (Attorney/Agent)	42,656	Telephone	(650) 812-3400
Signature	<i>John D. Henkhaus</i>	Date	4/4/01		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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CONFIRMING ASSIGNMENT OF PATENT RIGHTS

WHEREAS, CAN DO, INC., a California corporation having a principal place of business at 479 East Evelyn Avenue, Sunnyvale, California 94086, hereinafter referred to as "ASSIGNOR," and SOUND ID, INC., a California corporation having a principal place of business at 3430 West Bayshore Road, Palo Alto, California 94303, hereinafter referred to as "ASSIGNEE," have entered into an agreement under which certain patents and patent applications listed in ATTACHMENT A, including all rights in and to said patents and patent applications, in and to all international applications and all rights to apply for foreign patents based upon said patents and patent applications pursuant to the International Convention for the Protection of Industrial Property or otherwise; in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a divisional, substitution, continuation, or continuation-in-part of any of said applications; and in and to each and every reissue or extensions of any of said patents, hereinafter "PATENT RIGHTS", have been assigned from ASSIGNOR to ASSIGNEE; and

WHEREAS, ASSIGNOR and ASSIGNEE desire to confirm said earlier assignment of said PATENT RIGHTS.

For good and valuable consideration, receipt of which is hereby acknowledged by ASSIGNOR, ASSIGNOR has assigned, and by these presents does assign again to ASSIGNEE all right, title and interest in and to the PATENT RIGHTS including rights to recover for past infringement, and in and to any Letters Patent which may hereafter be granted on the same. The right, title and interest is to be held and enjoyed by ASSIGNEE and ASSIGNEE's successors and assigns as fully and exclusively as it would have been held and enjoyed by ASSIGNOR had this assignment not been made, for the full term of any Letters Patent which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

IN TESTIMONY WHEREOF, this Assignment is executed this 29 day of October, 2001.

CAN DO, INC.

By: 

Name: Zaydon Jawad

Title: Acting CFO

ACCEPTED:

SOUND ID, INC.

Dated: October 29

By: 

Name: Chas Pavlovic, Ph.D.

Title: Executive Vice President,
Research and Development

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ATTACHMENT A

U.S. PATENT APPLICATIONS

<u>Appln. No.</u>	<u>Filing Date</u>	<u>Confirmation Number</u>
60/168,290	01 December 1999	--
60/172,982	20 December 1999	--
09/728,623	01 December 2000	5462
09/742,710	20 December 2000	9102